

REMARKS/ARGUMENTS

Claims 1-3, 5-8, 10-27, 29-38, 54-58, 62-66, and 68 are pending. Claims 4, 9, 28, 39, 43, 44, 59-61, and 67 have been canceled without prejudice or disclaimer. No new matter has been added.

Claims 1, 2, 39 were rejected under 35 U.S.C. § 102(b) as being anticipated by Michael (US 5,640,200).

Claims 59-61 were rejected under 35 U.S.C. § 102(e) as being anticipated by Xiong et al. (US 2003/0179923).

Claims 3-4, 13, 14, 15, 43, 44, and 67 were rejected under 35 U.S.C. §103(a) as being unpatentable over Michael in view of Wai et al. (US 2002/0044676).

It is noted with appreciation that claims 54-58 and 62-66 are allowed.

It is further noted with appreciation that claims 5-12, 16-38, and 68 are deemed to be allowable if rewritten in independent form to include the base claim and any intervening claims. It is noted, however, that claim 68 is an independent claim, and so it is not necessary to rewrite claim 68; claim 68 as originally filed is believed to be in allowable condition.

Claim Sets

As discussed herein, the following claim sets are believed to be in allowable condition:

- i. independent claim 1 and its dependent claims 2, 3, 7, 8, and 10-12
- ii. independent claim 5
- iii. independent claim 6
- iv. independent claim 13 and its dependent claims 14, 17-27, and 29-38
- v. independent claim 15
- vi. independent claim 16
- vii. independent claim 54 and its dependent claims 55-58
- viii. independent claim 62 and its dependent claims 63-66
- ix. independent claim 68

Claims 1-12

Claims 5-12 are deemed to be allowable if rewritten in independent form to include the base claim and any intervening claims.

Claims 5 and 6 - Each of claims 5 and 6 depends from claim 4, which in turn depends from claim 1. Each of claims 5 and 6 has been rewritten in independent form to include the subject matter of claim 1 and claim 4.

Claim 9 - Claim 9 depends from claim 4 which in turn depends from claim 1. Claim 1 has been amended to incorporate the subject matter of claim 4 and claim 9. Claim 1 is therefore believed to be allowable. Claims 4 and 9 have been canceled without prejudice or disclaimer. Claims depending from claim 4 or claim 9 have been amended to depend from claim 1.

Claims 13-38

Claims 16-38 are deemed to be allowable if rewritten in independent form to include the base claim and any intervening claims.

Claims 15 and 16 - Each of claims 15 and 16 depends from independent claim 13. Each of claims 15 and 16 has been rewritten in independent form to include the subject matter of claim 13. Claims 15 and 16 each recite additional limitations in regard to "blending." Claim 15 differs from claim 16 in regard to reciting "a largest pixel intensity" (claim 15) and "a smallest computed pixel intensity" (claim 16). Claim 15 as previously presented is therefore believed to be allowable, and as currently amended is believed to be in allowable condition.

Claim 28 - Claim 28 depends from independent claim 13. Claim 13 has been amended to incorporate the subject matter of claim 28. Claim 13 is therefore believed to be allowable. Claim 28 has been canceled without prejudice or disclaimer. Claims depending from claim 28 have been amended to depend from claim 13.

Section 102 Rejection of Claim 1

As discussed above, claim 9 was deemed to be allowable if rewritten in independent form and incorporated all intervening claims. Claim 9 depended from claim 4 which depended from claim 1. For purposes of expediency, claim 1 was amended to incorporate

claims 4 and 9, and thus is believed to be in allowable condition. The Section 102 rejection of claim 1 is thus overcome.

Section 103 Rejection of Claim 13

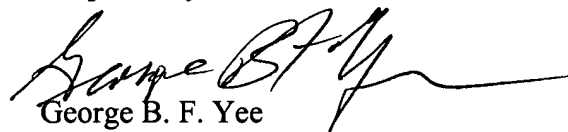
As discussed above, claim 28 was deemed to be allowable if rewritten in independent form and incorporated all intervening claims. Claim 28 depended from claim 13. For purposes of expediency, claim 13 was amended to incorporate claim 28, and thus is believed to be in allowable condition. The Section 103 rejection of claim 13 is thus overcome.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY:jlmm:cm
60724005 v1